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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	ST 12271/2/25 REV 2
N° Cion doc.:	ST 8255/25
Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2014/45/EU on periodic roadworthiness tests for motor vehicles and their trailers and Directive 2014/47/EU on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union - Further revised presidency compromise = Comments from Spain

Delegations will find attached comments from **Spain** on the above-mentioned document.

Point	Proposal	Comments & Questions
art. 4a	Each Member State shall take the measures necessary to enable the recording of odometer readings, from periodic roadworthiness tests of category M1 and N1 vehicles and from repairers authorised by vehicle manufacturers when they carry out repair or maintenance work on such a vehicle, in a national database or in the national vehicle register. Member States shall ensure that other service providers, who carry out repair or maintenance work on such a vehicle, are able to record odometer readings in that database or national vehicle register when that work is carried out. Member States shall also require vehicle manufacturers or their representatives to transmit the odometer readings of connected vehicles which they have produced every three months starting from the date of first registration of the vehicle.	We consider that mentioning the "authorised repairers" in the first place and then other "service providers" in a separate paragraphs, when the regulation is setting the same obligations for Member States (granting acces to the National register or database in order to record odometer readings) is redundant. We propose to merge both paragraphs and simplify the regulation. Also we would like to clarify whereas the odometer recording is mandatory for "Roadworthiness test" and "Authorised Repairers", or just Member States shall ensure they can enter the mileage into the database. We understand that is mandatory for manufacturers and their representatives in case of connected vehicles and it is optional for "Other service providers".
art 5.1 a)	vehicles of category M1 and N1: four years after the date on which the vehicle was first registered, and thereafter every two years until 10 years after the date on which the vehicle was first registered, and thereafter annually; [however, vehicles of category N1 shall also be subject to a roadworthiness test for the items listed in Section 8.2 of Annex I, one year after the date on which the vehicle was first registered, and thereafter annually] ;	We consider that making annual emissions inspections mandatory for category N1 vehicles starting from the first year after registration is a disproportionate measure that lacks support from any scientific or technical study. We propose biennial inspections starting from the second year, and annual inspections from the sixth year onwards.
art. 5.1	For the purposes of point (a) of the first subparagraph, in the case of the roadworthiness tests referred to in Article 4(4), Member States shall determine the date for the subsequent roadworthiness test in a way that no test is required during the period of obligatory recognition.	We propose a clarification of this paragraph to make the message more clear.
art. 6.4	'4. The Member State of registration may decide not to require the testing of items 8.1 or 8.2 of point 3 of Annex I to this Directive during the roadworthiness test of a vehicle where that vehicle successfully passed a corresponding exhaust test or noise test, or both, involving the checking of item 8.1 or 8.2 or both of point 3 of Annex to Directive 2014/47/EU during the six months preceding the due date of the roadworthiness test	Spain considers all items should be required during the inspection.
1.2.2 Effiency	(a) to the maximum authorised mass or, (b) in the case of semi-trailers, to the sum of the authorised axle loads, or (c) to reference values.	We have concerns about the proposed new method for testing braking efficiency for LDV, in case the minimum figure of braking ratio is not achieved (lock of wheels), as in our opinion, it could reduce the braking testing requirements. We would appreciate that the technical background that supports this method is provided Currently, as LD vehicles usually undergo the inspection unloaded, this means that if we reference the forces to MAM, we are considering a much higher mass than the vehicle's mass during the test, while the recorded braking forces are lower. This leads to rejecting cars that comply with braking requirements. We suggest an alternative method to be considered to test LDV when the vehicle is not loaded in order to calculate the braking ratio in a more accurate way.
1.4.2 Efficiency	Test with a brake tester. If not possible, then by a road test using either an indicating or deceleration recording instrument or with the vehicle on a slope of known gradient.	For electronic park braking systems there is a high risk of damage while testing in brake tester. No possibility of road or slope test. We suggest to include an alternative testing method, such as using the **wheel play detector** for electronic park braking systems or in case brake tester is not possible or available.
8.2.3.3. NOX measurement	For vehicles as of emission classes Euro 6d-TEMP the outside temperature should be between 0◦C and 30◦C and altitude lower or equal to 700 meters above sea level and engine temperature above 70◦C. For vehicles as of emission classes Euro VI the outside temperature should be between -7◦C and 35◦C, altitude lower or equal to 1600 meters above sea level and engine temperature above 70◦C.	This test could not be implemented in Spain under these conditions. Average height in Spain es 660 meters and temperatures over 30ºC and under 0ºC are largely surpassed over the year in many parts of the territory.
8.2.3 Exhaust emission measurement - Compression ignition engines	Test procedures: For vehicles as of emission classes Euro 5b and Euro VI and newer, or vehicles registered first time after 1 January 2013:	End-of-series for Euro 5a are extended to 1 january 2014 for complete vehicles and 1 july 2014 for completed vehicles. This means that there could be vehicles registeres for the first time in the EU This should be taken into consideration for the requirement for LDV. In case of HDV (Euro VI), the Commission Recomendation 20 march 2023, stablishes 1 january 2014 for the date of application